

To Claims

**STATE OF TENNESSEE
Department of Commerce and Insurance
500 James Robertson Parkway
Nashville, TN 37243-1131
PH - 615.532.5260, FX - 615.532.2788
brenda.meade@tn.gov**

RECEIVED

February 07, 2012

FEB 14 2012

LAW DEPARTMENT

American Alternative Insurance Corp.
P O Box 5241, % R. Willcox
Princeton, NJ 08543-5241
NAIC # 19720

Certified Mail
Return Receipt Requested
7011 0470 0000 5068 3765
Cashier # 1547

Re: West Warren-Viola Utility District V. American Alternative Insurance Corp.

Docket # 4124

To Whom It May Concern:

Pursuant to Tennessee Code Annotated § 56-2-504 or § 56-2-506, the Department of Commerce and Insurance was served February 02, 2012, on your behalf in connection with the above-styled proceeding. Documentation relating to the subject is herein enclosed.

Brenda C. Meade
Designated Agent
Service of Process

Enclosures

cc: Circuit Court Clerk
Warren County
P O Box 639
Mcminnville, Tn 37110



CIRCUIT COURT OF WARREN COUNTY, TENNESSEE

WEST WARREN-VIOLA
UTILITY DISTRICT,
Plaintiff,

VS.

AMERICAN ALTERNATIVE INSURANCE
CORPORATION,
Defendant.

Action: Complaint & Amended Complaint
Alias Summons

No. 4124

FILED

JAN 24 2012

Time Initials
BERNADETTE W. MORRIS
CIRCUIT COURT CLERK

To the above named Defendant(s): to be served as follows: **AMERICAN ALTERNATIVE INSURANCE CORPORATION**, administrative offices address: 555 College Road East, Princeton, NJ 08543 (to be served via **Commissioner of Insurance**)

You are hereby summoned and required to serve upon GALLIGAN & NEWMAN, Plaintiff's attorney, whose address is 309 West Main Street, McMinnville, TN 37110, an answer to the complaint which is herewith served upon you within thirty (30) days after service of this summons upon you, exclusive of the day of service, and file a copy of the answer with this court within five (5) days after answer is made. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Witness, Bernadette Morris, Clerk of said Court, at office in McMinnville, Tennessee,
this 24 day of Jan, 2012.

Bernie Morris
Clerk

By:

B. V.
Deputy Clerk

Received this ____ day of _____, 2012.

Sheriff-Deputy Sheriff

RETURN ON SERVICE OF SUMMONS

I certify and return that on the ____ day of _____, 2012, I served this summons together with a copy of the complaint herein as follows: _____

Sheriff-Deputy Sheriff

THIS SUMMONS IS ISSUED PURSUANT TO RULE 4 OF THE TENNESSEE RULES OF CIVIL PROCEDURE.

IN THE CIRCUIT COURT OF WARREN COUNTY, TENNESSEE
AT MCMINNVILLE

COPY

WEST WARREN-VIOLA
UTILITY DISTRICT,
Plaintiff,

VS.

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CORPORATION,
Defendant.

CASE NO. 4124

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AMENDED COMPLAINT

Comes now the Plaintiff, WEST WARREN-VIOLA UTILITY DISTRICT (the "Utility"), by and through its attorney, Robert W. Newman, and sues the Defendant, AMERICAN ALTERNATIVE INSURANCE CORPORATION (the "Insurance Company"), for a covered loss which occurred on January 9, 2011 and would show as follows:


1. The Plaintiff, West Warren-Viola Utility District, is a water utility district authorized under T.C.A. 7-82-101 et. seq., operating in Warren and Coffee Counties with its principal place of business located at 141 Sunny Acres Road Morrison, Tennessee 37357.
2. The Defendant, American Alternative Insurance Corporation, is an insurance company with administrative offices located at 555 College Road East, Princeton, New Jersey 08543 and a statutory home office located at 1013 Centre Road, Wilmington, Delaware 19805.
3. The Plaintiff is insured through an insurance policy (the "Policy") issued by the Insurance Company.
4. The Policy Number is GPPA-PF-6050043-01/000

5. The Policy Period is from January 1, 2011 to January 1, 2012.
6. The Insurance Company insured, among others, certain property located at the Utilities' place of business to wit the real estate and building located at 141 Sunny Acres Road in Morrison, Tennessee ("Covered Property").
7. A covered loss took place on January 9, 2011 in which an amount of precipitation in the form of snow accumulated on the roof of the Covered Property causing damage to the Covered Property.
8. The covered loss was reported to the Insurance Company and the Claim number TNFP211010613-00001 (the "Claim") was assigned to the loss.
9. The repair of the damage is estimated not to exceed One Hundred Thousand Dollars (\$100,000.00).
10. The Claim was denied in part causing this action to be filed.
11. By denying the Claim of a compensable loss the Defendant has breached the Parties agreement and Defendant is liable to Plaintiff as a result in the amount to be shown at trial.

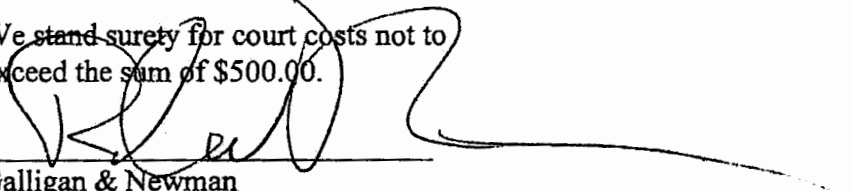
WHEREFORE, PLAINTIFF PRAYS:

- a. That proper process issue and be served upon the Defendant and that it be required to respond to this Complaint.
- b. That the Defendant be required to pay to the Plaintiff all covered losses incurred as a result of the damage to the Covered Property.
- c. For a reasonable attorney fee as well as Court costs to be paid by the Defendant.
- d. For such other, further and general relief to which Plaintiff may be entitled.

GALLIGAN & NEWMAN
P. O. Box 289
McMinnville, TN 37111
931-473-8408


Robert W. Newman # 9826
Attorney for Petitioner

We stand surety for court costs not to
exceed the sum of \$500.00.


Galligan & Newman
Robert W. Newman

COPY

IN THE CIRCUIT COURT OF WARREN COUNTY, TENNESSEE
AT MCMINNVILLE

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Plaintiff,

VS.

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CORPORATION,
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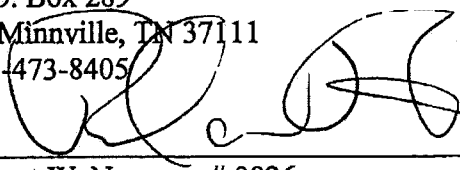
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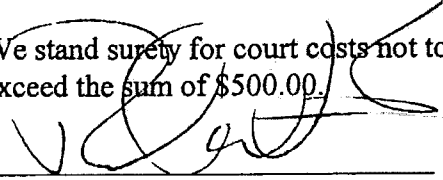
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McMinnville, TN 37111
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Robert W. Newman # 9826
Attorney for Petitioner

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Galligan & Newman
Robert W. Newman